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PATENT, TRADEMARK
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FACSIMILE COVER LETTER

Facsimile Number: (703) 872-9306

OFFICIAL

To: Examiner D. Meyer
Group Art Unit 2878, USPTO


From: Mr. Daniel J. Stanger
MATTINGLY, STANGER & MALUR, P.C.

Re: USSN 10/091,425
Attorney Docket No.: NIT-335

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following listed documents are being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

APPLICANTS INTERVIEW SUMMARY.


Daniel J. Stanger
Reg. No. 32,846

4/16/2004
Date

Total Number of Pages (including cover sheet): 3

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NIT-335

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

S. WATARI et al

Serial No. 10/091,425

Group Art Unit: 2878

Filed: March 7, 2002

Examiner: D. Meyer

**RECEIVED
CENTRAL FAX CENTER**For: APPARATUS FOR AUTOMATICALLY DETECTING SIZE TO BE
DETECTED AND AUTOMATIC ANALYZER USING THE SAME

APR 16 2004

APPLICANTS INTERVIEW SUMMARY**OFFICIAL**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

April 16, 2004

Sir:

The Applicants' representative thanks the Examiner and his supervisor for the courtesies extended during the office interview of March 16, 2004.

During the interview the Applicants' representative argued the distinction between the invention and the prior art, specifically EP 0903681 (EP '681) on the basis of the difference between the scan of the present invention and that of EP '681. In particular, the Applicants' representative noted that the scan according to the present invention determines object size by measuring a distance/time between reference mark 15 on a background panel and the initial detection of the detection object, such as the test tube shown


Serial No. 10/091,425

NIT-335

in Figure 1. On the other hand, EP '681 measures the actual distance between opposite ends of the detection object. As noted in the Supplemental Reply submitted under separate cover, the difference in scanning results in a shorter scan distance/time for the present invention as compared with those of EP '681.

The Applicants' representative invites the Examiner to telephone him at the number below to discuss any aspect of the case.

Respectfully submitted,


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